

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. 2:17-cv-04229-R-SHK

Date: August 22, 2019

Title: *Johnnie Darnell Cox v. City of Inglewood, et al.*

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Present: The Honorable Shashi H. Kewalramani, United States Magistrate Judge

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D. Castellanos

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings (IN CHAMBERS): Order To Show Cause Why Plaintiff's Motion For Leave To File An Amended Complaint [ECF No. 55] Should Not Be Denied.**

On July 29, 2019, the Court received Plaintiff's Motion for Leave to File an Amended Complaint ("Motion") and his lodged proposed First Amended Complaint ("FAC"). Electronic Case Filing Number ("ECF No.") 55, Motion; ECF No. 55-1, Proposed FAC. On August 12, 2019, Defendants filed their Motion to Strike Opposition to Plaintiff's Motion for Leave to File Amended Complaint ("Opposition"). ECF No. 56.

The Court has reviewed the parties' respective positions. As noted by Defendant, Plaintiff's proposed FAC omits almost all the original Defendants from the caption and seeks to add four new defendants—Mark Fronterotta, Scott Collins, Lori Jones, and Cecil Flournoy III. ECF No. 55-1, Proposed FAC at 1; ECF No. 56, Motion to Strike at 5. The Court previously addressed this same deficiency in its March 7, 2019 Report and Recommendation ("R&R"). ECF No. 46, R&R at 22-23.

Further, the proposed FAC does not allege the one remaining viable claim in this action—a Fourth Amendment claim against Defendants Cornejo, Cantrel, Marquez, and Ward for the allegedly unreasonable seizure of Plaintiff's personal property. See id. at 19-23. Instead, the proposed FAC appears to state a Fourth Amendment claim for "unreasonable force" against the newly named defendants. ECF No. 55-1, Proposed FAC at 8.

Therefore, Plaintiff is ORDERED TO SHOW CAUSE in writing no later than September 3, 2019 why his Motion should not be denied for failing to comply with the Court's orders.

Plaintiff is expressly warned that failure to timely file a response to this Order will result in this action being dismissed with prejudice for failing to comply with Court orders and failure to prosecute.

**IT IS SO ORDERED.**